

REMARKS

Entry and consideration of this Supplemental Preliminary Amendment are respectfully requested.

STATUS OF CLAIMS:

Claims 1-27 are pending in this application, which is a continuation of application Serial No. 09/869,097. Claims 19-27 were withdrawn from consideration in the prior application. Claims 1, 2, 5-7, 11-14 and 16 were rejected, and the Examiner objected to claims 3, 4, 8-10, 15, 17 and 18 in the parent application. The rejections set forth in the previous Office Action, of the parent application, are addressed in the following remarks.

The filing date/35 U.S.C. §371 date of the prior application has been amended to correctly reflect August 29, 2001.

ELECTION/RESTRICTIONS:

In response to the restriction requirement issued in the prior application, Applicants elected the invention identified as Group I (claims 1-18), which the Examiner acknowledged. Although traversal arguments were filed in the prior application on February 19, 2003, the Examiner made the restriction requirement final. Confirmation of the election of Group 1 is maintained.

SPECIFICATION:

The Examiner objected to the Abstract of the prior application because it was not limited to a single paragraph. In order to comply with MPEP §608.01(b), Applicants hereby amend the Abstract to be a single paragraph.

The Examiner also objected to the specification because there were no subtitles for individual parts of the specification. Accordingly, the specification is hereby amended to include subtitles.

The Examiner further asserted that the title of the invention was not descriptive and suggested amending the title to read --METHOD OF MANUFACTURING SURGE ARRESTOR-- Accordingly, Applicants are adopting the Examiner's suggestion with respect to amending the title of the application.

PRIOR ART REJECTIONS:

Claims 1-2, 5, 11, 13, 14 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Thuillier et al. (U.S. Patent 4,864,456 [hereinafter "Thuillier"]).

Claims 6, 7 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Thuillier.

The present invention provides, *inter alia*, in a non-limiting, illustrative embodiment, a method of manufacturing surge arrestors that includes making a stack of varistors followed by depositing a bead of flexible adhesive and dielectric material at interfaces between adjacent pairs of varistors. A coating of composite material is then applied to the stack of the varistors. Accordingly, the method is capable of providing manufacturing and structural benefits, as would be acknowledged by one skilled in the art after reading the specification.

Thuillier provides a lightning arrestor, including a stack of zinc oxide pellets 1, which are separated by springs 7. The springs act to separate the pellets so that an opening is created between the pellets. Spacers 2 are provided to seal the area between adjacent pellets.

To further define the invention, claim 1 is hereby amended to recite that the varistors touch each other. Also, claim 1 recites the depositing of the bead of flexible, adhesive, and dielectric material on the previously-formed stack at interfaces between each adjacent pair of varistors where the varistors touch each other. As noted above, Thuillier provides a seal 2, which the Examiner asserts teaches the claimed deposition of a bead of material. However, Thuillier also provides a space between adjacent pellets 1.

Applicants respectfully submit that these additional features, along with the presently claimed features, provide aspects not found in the applied reference. Moreover, one skilled in the art would not have been taught to make the claimed invention, in light of the teaching in Thuillier to provide a space between the adjacent varistors. Thuillier also lacks a suggestion and motivation to provide these features.

Moreover, in paragraph 7 of the Examiner's statement for the Claims Rejections, it is asserted that Thuillier discloses a method which includes the step of "depositing a bead (4) of flexible, adhesive and dielectrical material (col. 3, lines 31-33)..." In fact, the reference 4 in Thuillier refers to the layer(s) of resin impregnated glass fibers, and Applicants deem it improper to assimilate it to a bead as claimed in the present invention.

The spacers 2 in Thuillier perform a sealing function as the beads 30 in the invention, and they may be of a resin to enhance adhesion of the envelope. However, the spacers of Thuillier do not have flexible and adhesive properties in the same sense of the properties found in the beads 30.

In a non-limiting, illustrative embodiment of the present invention, the beads 30 have both flexible adhesive properties in order to provide an elastic bonding, both with the outer surface of the varistors and with the superposed coating 40 (see instant specification at page 10, lines 6-10). This effect of elastic bonding (e.g., provided by a silicone mastic) means that a flexible bead 30 acts as a spring (once the mastic has dried after being deposited) that attracts two adjacent varistors, one against the other. This attracting force is essential to have a good electrical continuity at the interface of two adjacent varistors without needing enameling of the surfaces. In Thuillier, electrical continuity is ensured by metal plates (11) and springs (7). The spacers (2) do not need to be adhesive with the pellets (1), and are not flexible in the sense of having spring properties.

SUPPLEMENTAL PRELIMINARY AMENDMENT

Q78184

Accordingly, claim 1 is not anticipated by Thuillier, and is also not made obvious in light of Thuillier. Applicants further assert that dependent claims 2, 5-7, 11-14 and 16 are patentable over Thuillier at least by virtue of their respective dependencies on independent claim 1.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The U.S. Government Filing Fee and Late Declaration Surcharge accompany this document. The USPTO is directed and authorized to charge all additional required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Daniel V. Williams
Registration No. 45,221

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 9, 2004